



The European Union
for Georgia
EU4Justice



Institute for Development
of Freedom of Information

Presentation on the Analysis of Legislation and Practice of Plea Bargain

Press Release

#EU4Georgia

TBILISI, December 4, 2019 – The Institute for Development of Freedom of Information (IDFI) with the support of the European Union (EU) conducted the presentation **on the analysis of legislation and practice of plea bargain**.

Event participants were welcomed by **Giorgi KLDIASHVILI** – Executive Director of IDFI; and **Peter DANIS** – Justice Programme Manager from the Delegation of the European Union to Georgia.

"The purpose of the research was to identify the main problems in the procedural law, as well as to identify the challenges that exist in practice. Despite the improved situation in the practice of applying plea bargaining, there is still a need for increased legislative safeguards to reduce the rate of plea bargaining." – mentioned **Giorgi KLDIASHVILI**.

"It is important that the all necessary legal safeguards are properly adhered to in accordance with the international standards indicated in the research. The recommendations will help the Prosecutor's Office to identify problems and effectively resolve them." – said **Peter DANIS**, Justice Programme Manager at the Delegation of the European Union to Georgia.

The analysis of legislation and practice of plea bargain revealed the following key findings:

- ▶ According to the statistical data published by the Supreme Court of Georgia, the number of cases heard by the first instance courts on plea bargain is considerably high - in 2018, it was 66% of all cases and in the first half of 2019 - 64%.
- ▶ According to the report published by the General Prosecutor's Office of Georgia, imposing fines on plea bargain cases in 2016-2017 is reduced compared to the previous years.
- ▶ Analysis of Court decisions show that conditional sentences and fines are mostly used in plea agreement cases, while community service is the most rarely used one.
- ▶ Analysis of first instance court decisions show that plea bargains are mostly used in the cases of grave crimes (50%).
- ▶ Regarding the stages of trial, plea bargains is most often concluded at the first introductory hearing/proceeding.

The research was conducted in the framework of the project "Promoting Prosecutorial Independence through Monitoring and Engagement (PRIME)". The project is implemented with the financial support of the European Union.

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